

**REMARKS**

Claim 1 is pending in the application.

Claim 1 stands rejected.

Claim 1 has been amended.

Claims 2-85 have been added.

**Rejection of Claims under 35 U.S.C. §102**

Claim 1 stands rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,233,702 issued to Horst et al. (Horst). While not conceding that the Examiner's cited reference qualifies as prior art, but instead to expedite prosecution, Applicants have chosen to respectfully disagree and traverse the Examiner's rejections as follows. It will be noted that the following arguments are made without prejudice to Applicants' right to establish, for example at a later point in prosecution or in a continuing application, that one or more of the Examiner's cited references do not qualify as prior art with respect to an invention embodiment currently or subsequently claimed.

Applicant respectfully submits that the present Office Action fails to state a *prima facie* case of anticipation under 35 U.S.C. §102 in failing to state with particularity how and where the Examiner's cited reference, Horst, teaches or shows (or even suggests) the claimed distributed storage management platform architecture, which comprises, in pertinent part:

“...  
a plurality of storage routers, wherein  
...” (emphasis supplied)

as required by Applicants' amended claim 1, and generally required by Applicants' new claims 2-85. Applicant further submits that Horst, neither alone nor in permissible combination with the other cited references or skill in the art, teaches, shows, or even suggests all elements of Applicant's claims.

Furthermore, Applicants respectfully assert that the Office Action fails to provide the specificity requisite for Applicants to definitively respond to the stated rejections. In fact, Applicants have carefully studied the cited sections of Horst, and can find no reference to a distributed storage management platform architecture, a storage router or comparable elements existing therein. Applicants respectfully request that the Examiner more specifically point out the portion or portions of Horst upon which the Examiner believes these elements read. *See*, MPEP §§706, 707; 37 C.F.R. 1.106(b). However, Applicant will respond to the cited reference in as meaningful a manner as Applicant believes possible.

The Office Action apparently implies that Horst anticipates the claimed distributed storage management platform architecture by citing Fig. 1B of Horst as showing a distributed storage management platform architecture, although the parallel being drawn in the Office Action is not clear to Applicants. Applicants respectfully submit that Fig. 1B of Horst merely depicts a multiprocessor system that includes a number of sub-processor systems, each comprising a central processing unit (CPU), and at least one I/O device, interconnected by routing apparatus that also interconnects the sub-processor systems. (Abstract) There is no mention of a distributed storage

management platform architecture, and particularly, no mention of storage or its management.

The Office Action also indicates that Horst anticipates the claimed plurality of storage routers by citing routers 14 of Fig. 1B of Horst. Applicants respectfully disagree. The claimed invention is directed to a distributed storage management platform architecture that comprises a plurality of storage routers. These storage routers are not the routers disclosed in Horst. In fact, such storage routers are configured to communicatively couple storage subsystems to one another and/or to a host computer system, as well as communicatively coupling such storage routers to one another. In the claimed invention, support for such communication thus allows for the aggregation of storage.

Applicants submit that there is no mention of storage or its aggregation in Horst. In fact, such concepts are never addressed in Horst, nor would one of skill in the art expect the concepts to be addressed by Horst because Horst is not directed to storage, its management or its aggregation. Horst is instead directed to a multiple-processor system that combines the NonStop™ and Integrity™ architectures to provide a fault tolerant architecture, hardware redundancy and software recovery techniques, in a single system. (Summary; NonStop™ and Integrity™ are trademarks of Tandem Computers, Inc., and/or their assigns) Thus, because Horst is directed to fault tolerant computing, not only are Horst's router's not storage routers, there is no reason for Horst's routers to be storage routers.

Moreover, the use of multiple routers in Horst is motivated by completely different goals than the use of multiple storage routers in the claimed invention. Multiple

ones of Horst's routers are employed in Horst to provide fault tolerance. By contrast, multiple storage routers are provided in the claimed distributed storage management platform architecture to allow for the aggregation of storage subsystems coupled to those storage routers. Thus, the motivations in Horst and the claimed invention also differ markedly.

The claims clearly address these concepts, and so distinguish over the cited references. For example, independent claim 1 recites a distributed storage management platform architecture comprising a plurality of storage routers.

For at least the foregoing reasons, Applicants respectfully submit that the invention, as claimed in independent claim 1, is not anticipated by Horst. Applicants further respectfully submit that new claims 2-85, which recite limitations relating to storage comparable to those of independent claim 1, are also not anticipated by Horst for at least the foregoing reasons. Applicants therefore respectfully submit that claims 1-85 are in condition for allowance.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **October 8, 2003**.

  
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Attorney for Applicants

  
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10/8/03  
Date of Signature

Respectfully submitted,



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